

SETTLEMENT OF CLAIMS OF ITALIAN PRISONERS OF WAR; RELATED CLAIMS

Agreement, with annex, signed at Rome January 14, 1949, supplementing agreement of February 14, 1948

Entered into force January 14, 1949

63 Stat. 2602; Treaties and Other
International Acts Series 1950

AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF ITALY REGARDING SETTLEMENT OF UNITED STATES OBLIGATIONS TO FORMER ITALIAN PRISONERS OF WAR AND RELATED CLAIMS

In implementation of the relevant provisions of the "Memorandum of Understanding between the Government of the United States of America and the Government of Italy regarding settlement of certain wartime claims and related matters" signed on August 14, 1947,¹ and in conformity with the terms of the Convention on Prisoners of War, signed at Geneva on July 27, 1929,² and in order to obviate the necessity of protracted negotiations for the settlement of other related obligations, the Government of the United States of America and the Government of Italy have reached agreement as set forth below providing for the final settlement of certain outstanding obligations owing to, and certain wartime claims of, former Italian prisoners of war and surrendered Italian personnel who own valid evidences of obligations made out by the Government of the United States of America or its agencies, or claims arising from their former status as prisoners of war or personnel in custody of the Government of the United States of America and its agencies, as well as other claims on the part of such individuals and of residents of Italy. This Agreement supplements the Agreement set forth in an exchange of letters dated February 14, 1948³ between the Minister of the Treasury of the Government of Italy and the United States Treasury Representative in Rome, establishing the procedure to be followed with

¹ TIAS 1757, *ante*, p. 215.

² TS 846, *ante*, vol. 2, p. 932.

³ TIAS 1948, *ante*, p. 299.

respect to the processing of evidences of obligations and claims of the types with which the present Agreement is concerned. A public announcement setting forth this procedure was made by the Government of Italy on February 18, 1948, and, on the basis of such procedure, a partial payment of \$4,382,241.03 was made on April 2, 1948, in respect of evidences of obligations therefore verified by the Government of the United States of America.

ARTICLE I

The obligations and claims with which this Agreement is concerned include:

(a) Amounts earned by Italian nationals as prisoners of war, surrendered enemy personnel, or civilian internees which have been officially recognized in the form of Certificates of Credit Balances and Military Payment Orders denominated in dollars and which have been issued to such Italian nationals as receipts for the amounts earned.

(b) Amounts earned by Italian nationals as prisoners of war, surrendered enemy personnel or civilian internees while in the custody of the United States Government and its agencies to whom Military Payment Orders or Certificates of Credit Balances were not issued and who after repatriation were not reimbursed for such amounts either directly by American Authorities or by Italian banks for U.S. Government account.

(c) Personal property, including currencies, entrusted to representatives of the Government of the United States of America and its agencies by Italian nationals referred to in the foregoing numbered paragraphs (a) and (b), or by other persons who are residents of Italy, which was not restored to the rightful owners or otherwise accounted for.

ARTICLE II

With respect to verified evidences of obligations and verified claims described in paragraphs 1 (a) and 1 (b) of this Agreement and to such evidences of obligations and such claims which have not been verified by the Government of the United States of America, the Government of the United States of America will, within ten days after the signing of this Agreement, pay to the Italian Government the sum of \$22,000,000, which, together with the payment of \$4,382,241.03 made on April 2, 1948, and the payments made prior to such date by the Government of the United States of America directly to individual holders of evidences of obligations, will constitute complete discharge of the Government of the United States of America for all evidences of obligations and all claims of the types described in paragraphs 1 (a) and 1 (b) of this Agreement.

ARTICLE III

With respect to claims for personal property referred to in paragraph 1 (c) of this Agreement, entrusted to representatives of the Government of the United States of America and its agencies by Italian nationals and residents who are in the categories described in paragraphs 1 (a), 1 (b), and 1 (c) of this Agreement, the Government of the United States of America will transfer to the Government of Italy all currencies taken from former prisoners of war, surrendered enemy personnel, civilian internees, or residents of Italy, whether or not nationals of Italy, now held by the United States Army, Chief, Italian Prisoner of War Division, Italy, or on deposit in two accounts with the Bank of Italy in the name of the "Chief, IPW Division, Italy", and in consideration thereof, the Government of Italy will assume and discharge the obligation of the Government of the United States of America to such persons and save the Government of the United States of America harmless with respect to any liability arising from such claims. The Government of Italy will undertake to investigate and determine all questions relating to such claims and to adjust and settle all authentic claims by payment. A list of the various currencies to be transferred in this connection is contained in the Annex to this Agreement.

ARTICLE IV

The Government of Italy agrees that the foregoing settlements regarding obligations and claims described in paragraphs 1 (a), 1 (b), and 1 (c) of this Agreement fully and completely discharge any and all obligations and claims against the Government of the United States of America by or on behalf of the Italian nationals (or persons claiming under them) formerly in the custody of the Government of the United States of America and its agencies who may have evidences of obligations or may have claims of the types described in paragraphs 1 (a), 1 (b), and 1 (c) of this Agreement. The Government of Italy will save the Government of the United States of America harmless from any liability arising as a result of such claims.

ARTICLE V

The Government of Italy undertakes to expedite in every way possible the investigation, determination and settlement of all claims which form the subject of this Agreement. To this end, the Government of the United States agrees to turn over to the Government of Italy all documents in its possession relating to claims under para 1 (c) above and will aid the Government of Italy in the determination of the validity of claims under para 1 (a) and 1 (b) above. The Italian Government on its part agrees to turn over to the Government of the United States all military payment orders and certificates of credit balances as well as evidences of obligations under para 1 (c) above surrendered by claimants.

ARTICLE VI

Done at Rome in duplicate, in the English and Italian languages, both of which shall have equal validity, this 14th day of January 1949.

For the Government of the United States of America:

JAMES CLEMENT DUNN

For the Government of Italy:

SFORZA

GIUSEPPE PELLA

ANNEX

On Deposit in Banca d'Italia:

<u>Country</u>	<u>Currency</u>	<u>Amount</u>
Albania	Francs	1, 602. 60
Algeria	Francs	7, 145
Austria	Schillings	223
Belgium	Francs	21, 050. 35
Bulgaria	Levas	140
Czechoslovakia	Slov. Korone	1, 390
"	Cz/SI. Korone	143. 30
Denmark	Kroner	350. 46
East Africa	Pounds	25
Finland	Marks	720
France	Francs	1, 288, 885
Germany	RM (Coins)	187, 244. 22
"	RM (Currency notes)	69, 945
Greece	Drachma	241. 322, 048
Gibraltar	Pound	1
Holland	Florins	1, 799. 01
Hungary	Pengos (Est)	926. 94
Jugoslavia	Dinar	14, 801
"	Occ. Lire (Est.)	7, 111
Malta	Pound	10
Norway	Kroner	1, 175. 01
Poland	Zloti	6, 745. 10
Portugal	Escudos	500
Rumania	Lei	6, 798
Russia	Rubles	2, 636
"	Rubles	280
Spain	Pesetas	15, 215
South Africa	Pounds	5
Sweden	Kronor	20
Switzerland	Francs (Currency)	7, 950
"	" (Gold Coin)	960
"	" (Draft)	150
Turkey	Lira	30
Tunisia	Francs	2. 150
USA	Dollars	3. 69
United Kingdom	Pounds	100. 10. 0
Austro-Hungarian Empire	Korone	1. 000
Czechoslovakia Boenne—M	Korone	9. 018
Jugoslavia	Kunas	63. 955
Moroco Monoco	Francs	2
Russia Czarist	Rubles	5. 546
Ukraine	Karbs	1. 578
Italy	Lire	224, 737, 983

On Deposit in IPW Division:

Italy	Lire	768, 391. 00
Germany	RM	12, 979. 00
Algeria	Francs	35. 00